

PB# 99-21

Pasquale Mugnano

7-1-20

U U 1 Cimorelli Drive - Proposed
Barber Shop

Disapproved 9/22/99

DATE Aug 6, 1999 **RECEIPT** 134211
 RECEIVED FROM New You Unisex Center
 Address _____
One Hundred 00/100 DOLLARS \$100.00
 FOR P B #99-21

ACCOUNT		HOW PAID	
BEGINNING BALANCE		CASH #	2812
AMOUNT PAID		CHECK	100.00
BALANCE DUE		MONEY ORDER	

Town Clerk
 BY Dorothy H. Hansen
sm

Wilson Jones

© Wilson Jones, 1989

BALANCE			CHECK	100.00
AMOUNT PAID				
BALANCE DUE			MONEY ORDER	

BY Dorothy H. Hansen

5/17/99
Public Hearing List requested

Copy

125.50

LANDS OF FLANAGAN (N/F)

S 27° 15' W 162.91'
L DEED 162.90'

WD. STK-
(SET)

Lot No.1

TEMPLE HILL ESTATES
D.T.D. 3 JUNE 64, REV. 21 OCT. 64
MAP No. 2124 FILED IN O.C.C.O
8 APR. 65

Lot No. 2

Recap

$$\begin{array}{r} N 62^{\circ} 45' W \\ 150.0' \end{array}$$

415

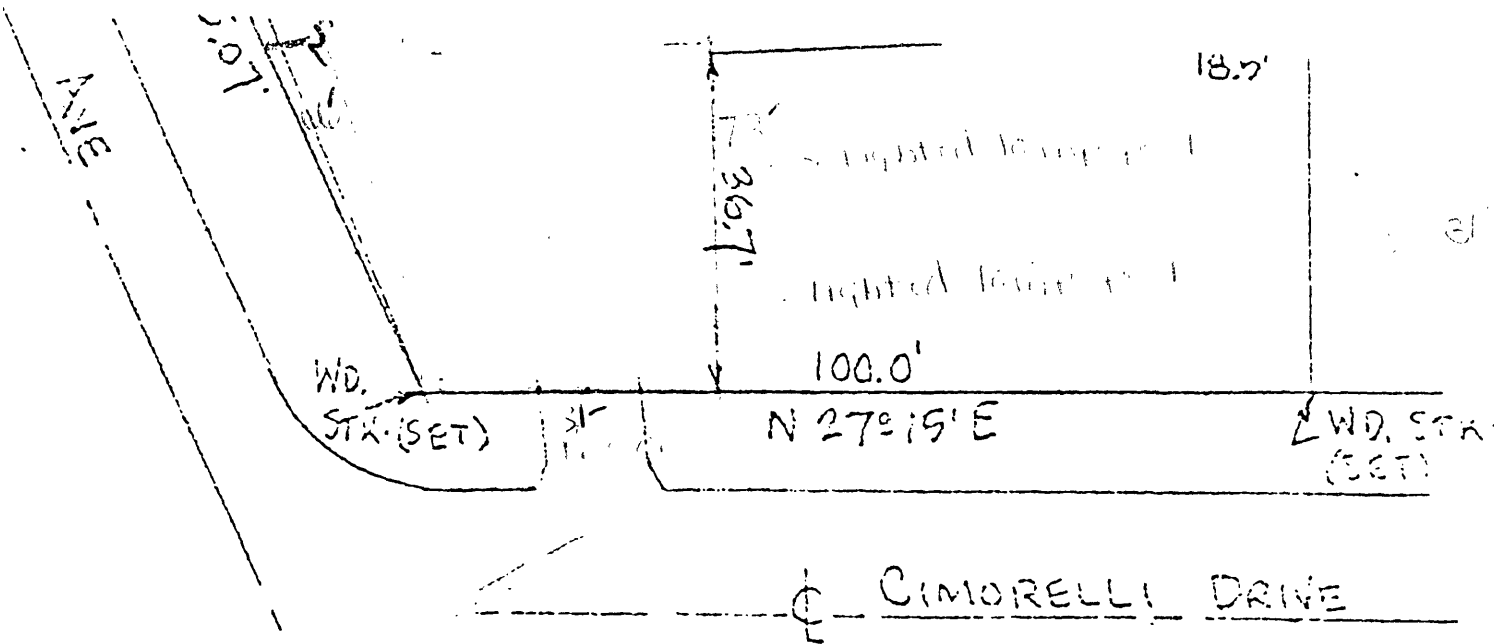
11-11-11

1000

16/2

1-

159951
171612.2651
3" E
251-251-30" E
Ullom
D



CERTIFIED CORRECT &
 ACCURATE TO THE SAVINGS &
 LOAN ASSOC. OF NEWBURGH, N.Y.
 PASQUALE & ANNA MARIA MUGNANO,
 & THE LAWYERS TITLE INSURANCE
 CORP.

SURVEY
 LANDS TO BE CONVEYED TO
 PASQUALE & ANNA MARIA MUGNANO
 TOWN OF NEW WINDSOR,
 ORANGE CO., NEW YORK

CERTIFIED CORRECT

PROPOSED HOME PROFESSIONAL OFFICE
BARBER SHOP
PASQUALE MUGNANO
2 CIMORELLI DRIVE

APPROVED BY THE
 BUREAU OF FIRE PREVENTION
 TOWN OF NEW WINDSOR, N. Y.

DATE Aug 99 SIGNATURE [Signature]

[Signature]
 P.E. ELS. 2130
 MONTICELLO, N.Y. 12548
 SCALE: 1" = 30'

99-21

RECEIVED AUG - 5 1999

AS OF 12/08/99

PAGE 1

CHRONOLOGICAL JOB STATUS REPORT

OB 87 90

NEW WINDSOR PLANNING BOARD (Chargeable To Applicant)

CLIENT: NEWWIN - TOWN OF NEW WINDSOR

TASK 99- 21

OR WORK DONE PRIOR TO 12/08/99

ASK NO	REL	DATE	TRAN	EMPL	ACT DESCRIPTION	RATE	HRS.	TIME	EXP	BILLED	BALANCE
99-21	156921	08/04/99	TIME	MJE	WS MUGNANO	75.00	0.40	30.00			
99-21	156998	08/11/99	TIME	MJE	MC MUGNANO	75.00	0.50	37.50			
99-21	157075	08/11/99	TIME	MCK	CL MUGNANO TRC	28.00	0.50	14.00			
99-21	161582	09/21/99	TIME	MJE	MC MUGNANO HPO	75.00	0.30	22.50			
99-21	160992	09/22/99	TIME	MCK	CL MUGNANO B-SHOP TRC	28.00	0.50	14.00			
99-21	164826	09/22/99	TIME	MJE	MM MUGNANO DISAPPROVED	75.00	0.10	7.50			
								125.50			
99-21	159142	09/16/99			BILL 99 886					81.50	
99-21	162005	10/14/99			BILL 99-984					36.50	
99-21	165824	11/15/99			BILL 99 1099					-7.50	
										-125.50	
					TASK TOTAL			125.50	0.00	125.50	0.00
					GRAND TOTAL			125.50	0.00	-125.50	0.00

Fax to Myra

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/08/1999

PAGE: 1

LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
D [Disap, Appr]

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP

APPLICANT: MUGNANO, PASQUALE F.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
09/22/1999	P.B. APPEARANCE	LA:ND CL PH DISAPPRO
08/11/1999	P.B. APPEARANCE	SCHED. PH
08/04/1999	WORK SESSION APPEARANCE	NEXT AGENDA

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 12/08/1999

PAGE: 1

LISTING OF PLANNING BOARD FEES
ESCROW

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP
APPLICANT: MUGNANO, PASQUALE F.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/05/1999	REC. CK. #2813	PAID		300.00	
08/11/1999	P.B. ATTY FEE	CHG	35.00		
08/11/1999	P.B. MINUTES	CHG	18.00		
09/22/1999	P.B. ATTY. FEE	CHG	35.00		
09/22/1999	P.B. MINUTES	CHG	85.50		
12/07/1999	P.B. ENGINEER	CHG	125.50		
12/07/1999	RET. TO APPLICANT	CHG	1.00		
		TOTAL:	300.00	300.00	0.00

L.R. 12/8/99



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

Licensed in NEW YORK, NEW JERSEY
and PENNSYLVANIA

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

REVIEW NAME: MUGNANO BARBERSHOP H.P.O. SITE PLAN
PROJECT LOCATION: UNION AVENUE AND CIMORELLI DRIVE
SECTION 7-BLOCK 1-LOT 20
PROJECT NUMBER: 99-21
DATE: 12 SEPTEMBER 1999
DESCRIPTION: THE APPLICANT PROPOSES TO CONSTRUCT A HOME PROFESSIONAL OFFICE (BARBERSHOP) AT THE EXISTING RESIDENCE ON 2 CIMORELLI DRIVE. THE APPLICATION WAS PREVIOUSLY REVIEWED AT THE 11 AUGUST 1999 PLANNING BOARD MEETING. THE APPLICATION IS BEFORE THE BOARD FOR A PUBLIC HEARING AT THIS MEETING.

1. The property is located within the R-4 Zoning District of the Town. The Barbershop use is defined as a home professional office and is Special Permit Use No. 3.

It is my understanding that a bulk compliance review is not required for an existing residence (principal use) for which the home professional office (Special Permit Use) is proposed.

The plan and the representations of the Applicant indicate compliance with the definition contained in Section 48 – 37 of the Town Code. The new bulk tables do not include a specific parking requirement for a home professional office, although I believe the home occupation is the nearest related use classification and the plan demonstrates compliance with those requirements.

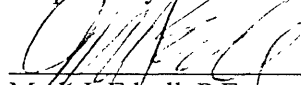
2. If the Planning Board becomes aware of any concerns resultant from the Public Hearing, I will be pleased to review same, as deemed necessary by the Planning Board.
3. The Planning Board may wish to assume the position of **Lead Agency** under the SEQRA process.

**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS
PAGE 2**

REVIEW NAME: MUGNANO BARBERSHOP H.P.O. SITE PLAN
PROJECT LOCATION: UNION AVENUE AND CIMORELLI DRIVE
SECTION 7-BLOCK 1-LOT 20
PROJECT NUMBER: 99-21
DATE: 12 SEPTEMBER 1999

4. The Planning Board may wish to make a **determination** regarding the type action this project should be classified under SEQRA and make a determination regarding environmental significance.
5. The Planning Board should require that a **bond** estimate be submitted for this **Site Plan** in accordance with Paragraph A(1)(g) of Chapter 19 of the Town Code.

Respectfully submitted,



Mark J. Edsall, P.E.
Planning Board Engineer

MJEmk

A: MUGNANO2.mk



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

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**TOWN OF NEW WINDSOR
PLANNING BOARD
REVIEW COMMENTS**

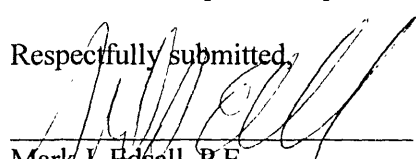
REVIEW NAME: MUGNANO BARBERSHOP H.P.O. SITE PLAN
PROJECT LOCATION: UNION AVENUE AND CIMORELLI DRIVE
SECTION 7-BLOCK 1-LOT 20
PROJECT NUMBER: 99-21
DATE: 11 AUGUST 1999
DESCRIPTION: THE APPLICANT PROPOSES TO CONSTRUCT A HOME
PROFESSIONAL OFFICE (BARBERSHOP) AT THE EXISTING
RESIDENCE ON 2 CIMORELLI DRIVE.

1. The property is located within the R-4 Zoning District of the Town. The BarberShop use is defined as a home professional office and is Special Permit No. 3.

This is an existing residence. The requirements for the home professional office are "new" as part of the revised bulk tables. We should verify, with the Town Building Inspector, whether bulk compliance must be demonstrated on the plan or if the existing single-family residential use automatically qualifies the site for a H.P.O.

2. The H.P.O. is required to comply with the specific requirements noted under Section 48-37 of the Zoning Code. Based on the information submitted and my review of the application, it is my opinion that this compliance has been demonstrated.
3. The Applicant has provided, on the plan, information regarding the location of parking, lighting and the proposed BarberShop. This information is presented as an "overlay" on a previous survey from a licensed surveyor. The Board should decide if any additional information is required as part of this application.
4. The Planning Board should schedule the mandatory **Public Hearing** for this **Special Permit**, per the requirements of Paragraph 48-35(A) of the Town Zoning Local Law.

Respectfully submitted,


Mark J. Edsall, P.E.
Planning Board Engineer
MJEmk
A: MUGNANO.mk

PUBLIC HEARING

MUGNANO, PASQUALE SITE PLAN & SPECIAL PERMIT (99-21)

Mr. Mugnano appeared before the board for this proposal.

MR. PETRO: This is for a barber shop.

MR. KRIEGER: Mr. Chairman, the board should be aware that Mr. Mugnano is a client of mine and so any advice that the board asks me for I want to disclose that up front.

MR. PETRO: So noted. This application proposes constructing a home professional office barber shop at the existing residence on 2 Cimorelli Drive. This application was previously reviewed at the 11 August, 1999 planning board meeting. And you're here for a public hearing tonight. What we'll do, if anybody's here to discuss, the board will review it and then I will open it up to the public for comment. Okay, I see you don't have a site plan with you or we don't actually have a site plan?

MR. BABCOCK: There's a markup plan there, it's in his file, Jim.

MR. PETRO: It's in the file, I think we looked at this last time, were you here, Ron?

MR. LANDER: I was absent.

MR. PETRO: You fellas want to see one while we're looking at it? You should move that board over and being that it is a public hearing, we should have that up. Can you take care of that, Ron? It's basically you want to operate your own professional barber shop out of your own home? I think we just had some new local law that was changed to help this fella along with that procedure and help the town along, correct?

MR. BABCOCK: Yes.

MR. PETRO: Is that one of the reasons he's here?

MR. BABCOCK: Yes.

MR. PETRO: Mike, the parking that's there now is blacktop parking, I see the spaces are delineated?

MR. BABCOCK: Yes, it's all blacktopped now, it's not striped as of now, but he will do that.

MR. PETRO: What other procedures would this man have to do to accommodate the board in this home professional use to get the special permit? Basically, he's got a lighted area, he just has to put in the striping for the parking?

MR. BABCOCK: Right.

MR. PETRO: Anything interior, it's all inside the building, so it would come under the building department, so it's not a planning board issue. You don't have a large, this isn't large amount of clients coming in and out?

MR. MUGNANO: No, I've got my own place, that's just like I'm going to do hair pieces, maybe one, two people a day.

MR. LANDER: How many spaces are required?

MR. BABCOCK: There's no set requirement for it.

MR. PETRO: Highway approval on 8/17/99 and fire approval on, please indicate one handicapped parking space which we'll do.

MR. BABCOCK: We talked about that yesterday.

MR. PETRO: When we do the striping, so this all seems to be in order here, gentlemen, unless you have any other serious questions, why don't we open it up to the public?

MR. LANDER: Before you do that, I'd like to let it be known that I live on 12 Cimorelli Drive, which is on the same street.

MR. PETRO: You have no affiliation with the applicant?

MR. LANDER: No.

MR. PETRO: At this time, we're going to open it up for the public hearing. What we'll do if you're here to speak on behalf of this applicant, raise your hand, be recognized by the Chair, come forward, state your name and address and your concern.

MRS. GENTRY: My name is Gentry, I own the house at 5 Cimorelli Drive and I was not aware that this was in the works until I got the notice that you sent out. All I would like to say is that at the time that I bought my residence, I bought it because this was a residential neighborhood and I think that any of us living there now if there was a barber shop on the corner would find that we might not want to move into the area because we might be concerned about other businesses coming into the area. At this time, it's a family area, we have retired couples, we have people with children, I think that we should try to maintain that type of neighborhood and I think that this will lower the value of the housing there.

MR. PETRO: Okay, Mike, little bit about the Town Law with the home professional office, maybe you can just bring her up to date how this works, of course, you have to realize this isn't a high traffic volume, like a beauty salon, this is going to be, that's why I asked him earlier what it was going to be, I think his number of parking spots are four parking spots.

MRS. GENTRY: At this time, there are sometimes six cars parked there or more.

MR. PETRO: Six at one time, you mean?

MRS. GENTRY: Yes.

MR. PETRO: Trying to go in and out?

MRS. GENTRY: Yes.

MR. PETRO: As far as the law's concerned, he's permitted to have professional office in the home with the special use permit issued by this board.

MR. BABCOCK: Right.

MR. PETRO: What we have to have is a very good reason not to issue the permit, I'm not saying that your reason is or is not very good, he has a right and you have a right too, so we have to kind of decide.

MR. BABCOCK: I think Andy should probably answer that for us.

MR. PETRO: Can you shed some light? We want to know, I mean, we'd all like to know.

MR. KRIEGER: When the Town Board changed the law to allow some other uses that had expanded the list previously been used as a home professional office, it put in certain limiting safeguard effects. First of all, you have to understand it's the Town Board that makes the law, not this board. This board has to deal with the law as it's given to it. In this case, it's the Town Law, but they also have to deal with other laws, primarily the State law. When the Town Board chooses to expand the list, which it didn't formerly include barber shops, it includes barber shops now, they expanded it with some provisos. First of all, it now has to be reviewed by the planning board, it didn't have to before to make sure that it complies with the law and with the necessary safety aspects, lighting required parking and so forth. The second thing is they put limitations in there about how big it could be, and how much it could serve, so anybody electing a home professional office, even if it's allowed by right, assuming they get the permission of the planning board, is still going to be severely limited in the growth of that. In this case, it's a one chair operation. Anybody establishing that type of business will be unable to expand. Before the Town Board changed the law, there were inequities in the law, for instance, a home professional use that was allowed at that point without any review by anybody was a veterinarian which a lot of people would find

objectionable, highly objectionable. And so they looked at the existing uses, didn't make a lot of sense what was allowed, what wasn't allowed, a beauty parlor was allowed, a barber shop wasn't allowed. There was no rational basis to make that distinction. So, when the planning board changed the law, they did put in safeguards, that's what this process here is going on tonight so that the planning board can review it and make sure that it's no bigger than what's allowed and it complies with the necessary requirements, parking and lighting and so forth, so you don't have somebody similarly putting a use in without--

MR. PETRO: This is a special use permit which can be reviewed.

MR. KRIEGER: It's a special use permit which means two things, basically, the applicant, and applicant, if successful, has to come back when the planning board says you've got to come back and in the meantime, if complaints are filed, and if they are specific enough, it can be reviewed. But complaints have to be filed with the building inspector and they have to be specific enough, I don't like it, is not gonna do it. I don't want to encourage increasing the building inspector's workload with handling complaints that there's nothing that he can do with. But that was also why they made it a special use permit, it used to be permitted as of right, which means you can just do it and nobody could say anything about it now, this is not the last review process, there is in effect an ongoing monitoring process.

MR. PETRO: Okay, Andy, I think we all get the picture.

MR. STENT: Is it limited just so there's no employees allowed or just homeowner himself or herself are the only ones that are allowed or can you go out and hire part time, full-time employees to work there?

MR. BABCOCK: Yeah, there's limitations on all that, it has to be carried out by the resident owner of the house, we're looking that up right now.

MR. KRIEGER: There are space limitations, is the 30

percent limitation still in effect?

MR. BABCOCK: It's fairly new so I'm not familiar with exactly what it is.

MR. EDSALL: One half the ground floor area maximum.

MR. KRIEGER: That means two things that the applicant has to live there and also, as I said, there's a limit as to how far they can expand it because they are only allowed to use apparently up to half the space for the business.

MRS. GENTRY: So, if they expanded the house itself, enlarged the house itself, then the business could enlarge to one half of the space.

MR. KRIEGER: Of the expansion, if it was an allowed expansion, yes.

MR. ARGENIO: The space is one half of the ground floor, not the entire home, is that correct, Mike?

MR. BABCOCK: That's correct.

MR. KRIEGER: So, if they had an expansion, two story expansion.

MRS. GENTRY: No, in this case, cause there's already a second story, if they just expanded out.

MR. KRIEGER: If it was all ground floor, then they can, a person doing that could do that.

MRS. GENTRY: We're talking right now this is a single chair barber shop, so I'm understanding because you can't have employees, this has to be the owner himself or herself that it wouldn't be allowed to add a second barber chair?

MR. STENT: They are looking for that right now.

MR. BABCOCK: No employees and they can have no partners.

MRS. GENTRY: And no family members working there also?

MR. EDSALL: It does not allow any partners or associates, but it shall employ no more than one person and I would assume that's, that would be one person in addition to the owner.

MR. KRIEGER: Yes, whether that person is related or not is immaterial.

MRS. GENTRY: That would allow for an expansion to a two chair barber shop?

MR. PETRO: Two people, yes, I would say so.

MRS. GENTRY: Right now, we're only talking about a one chair.

MR. PETRO: That's what he's proposing, yes.

MR. MUGNANO: I'm there myself, nobody else, I can't afford to get an employee, I need an employee in my shop in Big V Plaza. In my house, only thing I'm going to do is hair piece by appointment only.

MR. KRIEGER: One of the things that every business varies, you know, according to the business, it's the custom in the barber shop business, anyway, as with the hair dressers and beauty salons that each person would have their own station, whether they were there or not, so simply because there are two chairs doesn't necessarily mean that both of them will be operating.

MRS. GENTRY: But it could be.

MR. KRIEGER: It could be.

MRS. GENTRY: So you could possibly have four customers' cars there because two are being worked on and two are waiting cause they came early or things took a little longer then you have a family there also.

MR. PETRO: That's correct.

MR. KRIEGER: Yes.

MR. PETRO: Okay, let's not go any further with that. I think we have a good idea.

MRS. GENTRY: Is there any limitation as to the signage that goes up out front?

MR. PETRO: Mike, I'll refer that to you.

MR. KRIEGER: The answer is yes.

MR. EDSALL: I believe it allows a small business identification sign.

MR. PETRO: While he's looking for that, are you done, ma'am?

MRS. GENTRY: Yes.

MR. PETRO: Come forward and state your.

MR. WILKINS: My name is Barry Wilkins, I live on 7 Cimorelli Drive and my concern is the traffic. I have four children that run, it's a quiet street, they ride their bikes in the street and, you know, I'm just concerned with the customers, although there's only going to be one chair, like he said, two, three maybe four people can be waiting. It's like a horseshoe type of road and his property is at the end. Is there going to be restrictions on the traffic, are they going to be restricted to exit where he lives and enter where he lives or will they be coming all the way around the road?

MR. PETRO: There won't be any restrictions on the actual driving but, keep in mind with the amount of parking spots that he has drawn on this plan here, which is four, it will be very difficult if too many people showed up, they couldn't park and people would get discouraged and leave.

MR. LANDER: They'd just park on the street.

MR. PETRO: I guess most people want to park in a parking spot, when you go into a building, I don't

know, somebody may park on the street, I guess, I don't know.

MR. WILKINS: I have another question about I don't understand this, you know, the laws, you know, the newer law, the business law, but I have been living there for, I moved there in 1993, and I owned a good size truck that I use to do work with and I had no other place to put it and I was told that I wasn't allowed to have that commercial vehicle on that street and because there was, there just wasn't, you couldn't do it, so I was forced to sell it and, you know, again, it's a nice area and, you know, I'm just wondering I didn't hear what you said about the value of the property going down, but what I am concerned is what if he decides to sell the house and somebody else wants to come in and put a video store in.

MR. PETRO: This is a special use permit issued by this board which can be reviewed at any time, if you had a serious complaint like that's what Andy was referring to earlier, you can't call up the building inspector and say we just don't like it. But if you say there's a video store that just went in where the one chair barber shop was now we have a video store and we have 15, 20 cars an hour coming in and out of here, that obviously would constitute review by this board. And I'm sure the special permit would not stay in effect and they'd have to close. You live there and you can obviously monitor that kind of thing.

MR. KRIEGER: One other thing is the ability to have a what we call a home office, now home professional office or home office, there's still a list, the list has been expanded, but there's still a limited list, you can't have anything you want there. It has to fall within that list of those things which are specifically allowed. This is one that is allowed, subject to all the restrictions that I talked about earlier.

MR. BABCOCK: The video store would not be allowed.

MR. KRIEGER: That would simply be an illegal use, period.

MR. WILKINS: But if--.

MR. PETRO: You meant any high volume traffic.

MR. KRIEGER: Special permits are issued according to the application in front of the board. If the nature of the business changes, even if it was allowed by the statute, they don't get to grandfather in, they don't get the benefit of, the automatic benefit of the special use permit, they'd have to come back and ask the board for a permit for that business, it's not transferable, it's not like a variance in that regard, this is not.

MR. WILKINS: Now, is that zoned for multi-family dwelling? That's another question I wanted to ask.

MR. BABCOCK: No.

MR. WILKINS: Would there be special permits for that?

MR. BABCOCK: No, it would be a use variance.

MR. WILKINS: But it's not allowed, is this, is that what you're saying?

MR. PETRO: Correct.

MR. BABCOCK: Single family only.

MR. WILKINS: Thank you.

MR. KRIEGER: It's not allowed unless you have a use that predates zoning, there are only two ways that you can have an multi-family use in the neighborhood, either get a use variance from the zoning board or you have a use which predates zoning.

MR. LANDER: What date was zoning?

MR. BABCOCK: '66.

MR. KRIEGER: So by operation of the state law the zoning can not apply to somebody who has had that use beforehand. It applies to everybody else coming in and

I will say that background so that you get a full picture.

MR. BABCOCK: Jim, they are allowed, for the signing question, they are allowed one non-illuminated occupation or professionals sign with an area not to exceed six square feet total all faces nor exceed six feet above the ground level.

MR. PETRO: That was in reference to your question.

MRS. GENTRY: Thank you.

MR. PETRO: Anybody else?

MR. LANDER: One by three sign?

MR. PETRO: Yeah.

MR. KRIEGER: Only if you have a two sided signs.

MR. LANDER: Most would be two sided. If he puts it out on the road.

MR. PETRO: Anybody else wish to speak on behalf of the applicant? Motion to close the public hearing.

MR. ARGENIO: So moved.

MR. STENT: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board close the public hearing for the Mugnano application. Also, I just want to read into the minutes that 47 addressed envelopes had gone out with the notice of public hearing on 9/29/99. All right, gentlemen, I'd like to open it back up to the board at this time for further comment. Ron, I know you wanted to say something.

MR. LANDER: I have been on Cimorelli Drive for 30 years and it's a nice, quiet neighborhood. I live in the cul-de-sac, I don't live down towards Union Avenue. And my concern would be the traffic, naturally, because Union Avenue is so congested now. And going back to my

point about if there's no parking spaces in the parking lot, then they are going to park on the road. I park on the road in the cul-de-sac cause there's four or five cars in my driveway, but I don't have a barber shop or I didn't even run my business out of there, I just have a lot of kids. So, you know, I have no problem with Pasquale, we have been neighbors for all these years. My only problem is the traffic that would be generated and if you did sell it, well, that's another thing, but there's a lot of new people moving into that neighborhood that have little kids and the traffic thing is going to be a problem, so that would be my objection to this application.

MR. ARGENIO: I live on a cul-de-sac because I have kids, I don't want traffic, not near Cimorelli Drive, but that's why I live on a cul-de-sac because I have kids and I don't want them subject to people up and down the road.

MR. STENT: I think we've got to address the traffic because is it across the street from where the other subdivision is as well?

MR. LANDER: Scaglione is going to put the five lot subdivision in.

MR. STENT: Which is going to create more traffic at that intersection, is that also on the grade coming down? I'm trying to visualize where it is.

MR. LANDER: It's right across from Cimorelli Drive is going to be the Scaglione subdivision.

MR. ARGENIO: Is this the entrance towards Town Hall or away from Town Hall?

MR. BABCOCK: Towards Town Hall.

MR. LANDER: There's a blinking light right there right at the blinking light, that's where the road is going to be cut in cause they cut the trees down already.

MRS. GENTRY: One of the difficulties is if you're turning in or out of the particular entrance to

Cimorelli Drive, you're coming uphill passed this building, okay, and people are coming over the hill and it's difficult to see coming over that hill, people who are turning in to Cimorelli Drive.

MR. LANDER: The sight distance isn't there, I don't know how the road was put in, they should of took the hill down and moved the road, the way traffic moves on Union Avenue, nine times out of ten, you make a right going out of Cimorelli Drive at that intersection, you don't try to make a left for safety. And if you're going to make a left, you're going to go towards 32, you use the other end of Cimorelli drive.

MR. PETRO: Mr. Mugnano, you already have a shop somewhere else?

MR. MUGNANO: Yes, that's what I'm going to do, it's for the hair piece by appointment only. Twenty-five families make a left turn, right turn out of there. Three or four people a day can't make a turn, I don't see any problem, you know.

MR. STENT: The problem is we can't limit you only having three or four people a day, that's what we're looking at, you can have 25 people a day.

MR. MUGNANO: It's a barber shop for hair pieces, I don't make more than four appointment a day probably.

MR. STENT: Are you selling your business at the--

MR. MUGNANO: No.

MR. STENT: What's going to happen to you following that?

MR. MUGNANO: I no sell my business, I stay, matter of fact, I renew my lease, the reason I do this is because it's for private people in the hair piece business.

MR. STENT: You're going to maintain your barber shop?

MR. MUGNANO: Yes. Matter of fact, my landlord is here, I maintain my shop, yes.

MR. BABCOCK: This is for hair pieces that people wouldn't do in a barber shop where other people are coming in and out.

MR. MUGNANO: I need a barber shop permit because when I put some hair piece, I've got to cut, I need a barber permit.

MR. BABCOCK: People want the privacy, just them there on their own to do this. Most people don't want somebody else to know.

MR. PETRO: He can also build a petition in the place of business too.

MR. KRIEGER: Well, yes and no, somebody even, and they used to do that prior to this owner in that very business, but people would, even though the fitting of the hair piece is behind the partition, people would have to come and go in the common waiting room and most people, people who are concerned enough about this aspect to get a hair piece don't want it to be public knowledge and they are coming and going, whether anybody saw them sitting in the chair, they're coming and going, would be a public announcement.

MRS. GENTRY: But you can handle that by the appointments that you make for when the person comes for the hair fitting, you can arrange that so they come for the hair piece fitting at a time when there are no other appointments.

MR. KRIEGER: No you can't because the nature or the barber business, people don't always have appointments.

MR. LANDER: Are we talking as planning board attorney or attorney for Mr. Mugnano?

MR. KRIEGER: I happen to know this particular business.

MR. PETRO: Motion for lead agency.

MR. STENT: Make a motion we grant lead agency under

SEQRA process for Mugnano.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare itself leads agency under the SEQRA process for the Mugnano Barber Shop site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. PETRO: Declare negative dec, please.

MR. STENT: Motion we grant negative dec on the Mugnano Barber shop.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board declare negative dec under the SEQRA process for the Mugnano Barber Shop site plan. Is there any further discussion from the board members? If not, roll call.

ROLL CALL

MR. ARGENIO	AYE
MR. STENT	AYE
MR. LANDER	AYE
MR. PETRO	AYE

MR. LANDER: Let me ask the applicant another question here, if we have 1, 2, 3, 4 we have four spaces here for people to park in the barber shop, is there going to be other cars parked in this parking lot here in your driveway?

MR. MUGNANO: Couple more cars, I've got two cars, no, it's a big parking.

MR. LANDER: I live right down the street, I don't know how they'd back out of there.

MR. MUGNANO: I work by appointment, maybe one or two car a day come over there.

MR. LANDER: How many cars are in the parking lot tonight?

MR. MUGNANO: Four cars, but that's going to be taken out, I've got to put them in another property.

MR. LANDER: You own two motor homes or just one?

MR. MUGNANO: No, one, I've got one and tomorrow, it's not going to be there anymore, just one.

MR. LANDER: I think it would be difficult backing out of there but--

MR. PETRO: I want to make this suggestion then, I'm going to go with the board and just do a roll call. I'm very much a proponent that everybody should have a right to do what they want to with their property, yet, we have to protect the rights of other people. But if the law says it's okay that you should do it, I think that you should have a chance to do it and see if there's any problems that come up. That's the reason why it's a special permit and you'd have to come back before this board. I would suggest that we give you one year trial period to do this with your understanding that it's for one year. At that time, you have to reappear before the board, if there was a problem, and if this lady called up and/or that gentleman called up and traffic problems, people parked in the road, first of all, I'm only one member, and I'm speaking for myself. We still have to vote. So this is my idea, I'm kind of telling you and the board at the same time. Because frankly, if I had to vote without doing this, it would be the rare occasion I would vote against your application, but I think everybody's entitled to a chance that this may not be a problem, you're going to have one or two people a day, you want to get fitted for a hair piece and never see

you again, but you should be afforded that opportunity.

MR. MUGNANO: Okay.

MR. PETRO: With that, unless somebody absolutely disagrees with me, I'd like to have a motion to approve the Mugnano Barber Shop site plan with the understanding that he would reappear in one year under the special permit one year.

MR. STENT: I have no problem making that motion, Mr. Chairman, seeing how it's only for hair pieces and he has the other business, so I make a motion.

MR. PETRO: We'll see him in one year, if there's a problem.

MR. KRIEGER: You, in essence, have two safeguards, not only the short period of time, but the special permit is limited to the application. So if what he says turns out to be in the event different, then it's in violation of the special permit, if it's granted, because those were the conditions.

MR. MUGNANO: I say one thing, across the street, it's a beauty shop and people go in and out, two houses down it's a chiropractor, people go in and out, two houses up from me is a garage, a mechanic go in and out.

MRS. GENTRY: But they are on Union Avenue, not Cimorelli Drive.

MR. MUGNANO: Okay, maybe I get a permit to get a entrance on Union Avenue, too.

MR. PETRO: That's fine. You have to understand one thing, you're here and they're not, so we're looking at your application. I don't know about that and you know that's like saying when I used to tell my father my brother did it, why can't I, I still got smacked anyway. We're doing you tonight, we have a motion and is there a second? You can still do a roll call.

MR. ARGENIO: Second it.

MR. PETRO: Motion has been made and seconded that the New Windsor Planning Board grant final approval to the Mugnano Barber Shop site plan on Union Avenue and Cimorelli Drive. This is for the special use permit to run his hair piece shop and he does have the understanding that if it doesn't work, he will be back here within one year or any serious complaint. With that, roll call.

ROLL CALL

MR. ARGENIO	NO
MR. STENT	AYE
MR. LANDER	NO
MR. PETRO	AYE

MR. PETRO: What's happened is it's died for a lack of a, not died, but it's been defeated because you need three yes votes. So I don't know if there's a timeframe, Andy, which he can reapply?

MR. KRIEGER: There's no limitation as far as I know.

MR. PETRO: You can make reapplication, unfortunately for you, we don't have our fifth member here tonight which sometimes gets rid of a deadlock, so at this time, you do not have permission from the planning board to operate, but you can make a new application and try it again at any time.

MR. MUGNANO: I've got to come back again?

MR. PETRO: You have to it again, at this time, you did not receive a yes vote from the board to go ahead, the vote was 2 to 2, all right.

MR. MUGNANO: I have to do another application and spend all the money again?

MR. PETRO: That's if you want to proceed, yes, that's the law, there's nothing we can do about that.

MR. MUGNANO: Okay.

MRS. GENTRY: If there's another application, will the

September 2, 1999

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residents of Cimorelli Drive be notified?

MR. PETRO: There will be a whole new application, the whole process again.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/20/1999

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LISTING OF PLANNING BOARD AGENCY APPROVALS

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP

APPLICANT: MUGNANO, PASQUALE F.

	DATE-SENT	AGENCY-----	DATE-RECD	RESPONSE-----
ORIG	08/05/1999	MUNICIPAL HIGHWAY	08/17/1999	APPROVED
ORIG	08/05/1999	MUNICIPAL WATER	08/19/1999	APPROVED
ORIG	08/05/1999	MUNICIPAL SEWER	08/20/1999	APPROVED
ORIG	08/05/1999	MUNICIPAL FIRE . PLEASE INDICATE ONE HANDICAP PARKING SPACE	08/17/1999	APPROVED

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/20/1999

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LISTING OF PLANNING BOARD SEQRA ACTIONS

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP

APPLICANT: MUGNANO, PASQUALE F.

	DATE-SENT	ACTION-----	DATE-RECD	RESPONSE-----
ORIG	08/05/1999	EAF SUBMITTED	08/05/1999	WITH APPLICATION
ORIG	08/05/1999	CIRCULATE TO INVOLVED AGENCIES	/ /	
ORIG	08/05/1999	LEAD AGENCY DECLARED	/ /	
ORIG	08/05/1999	DECLARATION (POS/NEG)	/ /	
ORIG	08/05/1999	SCHEDULE PUBLIC HEARING	08/11/1999	SCHED. PH
ORIG	08/05/1999	PUBLIC HEARING HELD	/ /	
ORIG	08/05/1999	WAIVE PUBLIC HEARING	/ /	
ORIG	08/05/1999	AGRICULTURAL NOTICES	/ /	

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 09/20/1999

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LISTING OF PLANNING BOARD ACTIONS

STAGE:

STATUS [Open, Withd]
O [Disap, Appr]

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP

APPLICANT: MUGNANO, PASQUALE F.

--DATE--	MEETING-PURPOSE-----	ACTION-TAKEN-----
08/11/1999	P.B. APPEARANCE	SCHED. PH
08/04/1999	WORK SESSION APPEARANCE	NEXT AGENDA

-----X-----
In the Matter of Application for Site Plan/Subdivision of

Pasquale Mignone
Applicant.

-----X

MYRA L. MASON, being duly sworn, deposes and says:

On 9/2/99, I compared the 47 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for Site Plan/Subdivision and I find that the addressees are identical to the list received. I then mailed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

2nd day of September, 1999

Deborah Green
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 2001

AFFMAIL.PLB - DISC#1 P.5.



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (914) 563-4631
Fax: (914) 563-4693

Assessors Office

August 24, 1999

Mr. Pasquale Mugnano
2 Cimorelli Drive
New Windsor, NY 12553

Re: Tax Map Parcel #7-1-20

Dear Mr. Mugnano:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this is \$65.00, minus your deposit of \$25.00.

Please remit the balance of \$40.00 to the Town Clerk's office.

Sincerely,

A handwritten signature in cursive script that reads "Leslie Cook".

Leslie Cook
Sole Assessor

/lc
Attachments

cc: Myra Mason, PB

WILLIAM & EDA MCPHILLIPS
481 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

KIM RICCIO
17 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

SEYMOUR & RAE KATZ
6 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

DOMINICK SCAGLIONE
DBA/ SCAGLIONE QUALITY
BUILDERS
241 TEMPLE HILL ROAD
NEW WINDSOR, NY 12553 ✓

GARIN BAKER
478 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

CHARLES D & MARY E CLAYTON
8 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

DUANE TAMBURINI
515 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

HARVEY & MAXINE LINDENHAUER
15 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

JUDAH M & DONNA IRENE
BLUMENTHAL
10 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

THE CITY SCHOOL DISTRICT OF THE
CITY OF NEWBURGH
PO BOX 711
NEWBURGH, NY 12550 ✓

MICHAEL & DINA MCLAREN
13 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

RONALD & ELLEN LANDER
12 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

JOSEPH THOMAS PERAGINE
2 PARK HILL DRIVE
NEW WINDSOR, NY 12553 ✓

ANTHONY & SHIRLEY FERRAIULO
11 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

DAVID & LYDIA NEGRON
308 NINA STREET
NEW WINDSOR, NY 12553 ✓

SIRLISTER J HOUSE
4 PARKHILL DRIVE
NEW WINDSOR, NY 12553 ✓

BARRY & NANCY WILKINS
7 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

MICHAEL & DEBORAH BARTOLONE
306 NINA STREET
NEW WINDSOR, NY 12553 ✓

LUTHER & DOROTHY POWERS
216 GARDNERTOWN ROAD
NEWBURGH, NY 12550 ✓

BECK HASSELTINE GENTRY
5 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

DOMINICK & LORRAINE LUCERA
304 NINA STREET
NEW WINDSOR, NY 12553 ✓

JOHN & MARTHA PETRO
8 PARKHILL ROAD
NEW WINDSOR, NY 12553 ✓

SAMUEL LEGHORN
3 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

MATTHEW S & ANNE M ZALOGA
522 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

VICTOR & WAI KING TOM
1 PARK HILL DRIVE
NEW WINDSOR, NY 12553 ✓

MEHMET & AYSE BAGSEVER
1 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

JACQUELINE SCARANO
516 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

ELIZABETH & CLIFFORD DAVIS
14 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

ALBERTO & ANNA ROSE LAUDATO
4 CIMORELLI DRIVE
NEW WINDSOR, NY 12553 ✓

VINCENT G CALOSSO
510 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

A G VENUS
303 NINA STREET
NEW WINDSOR, NY 12553 ✓

JOHN TODD & MARLAYNA
314 NINA STREET
NEW WINDSOR, NY 12553 ✓

DWIGHT E JR & NANCY E. VALLEY
422 PHILO STREET
NEW WINDSOR, NY 12553 ✓

GEORGE J MEYERS, SUPERVISOR
555 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

ROBERT B & VICKY A FLEMING
424 PHILO STREET
NEW WINDSOR, NY 12553 ✓

DOROTHY H HANSEN, TOWN CLERK
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

CYNTHIA J. PRICE
145 FRANKLIN AVENUE
MONROE, NY 10950 ✓

ANDREW KRIEGER, ESQ
219 QUASSAICK AVENUE
NEW WINDSOR, NY 12553 ✓

RICHARD & JEAN MEO
311 NINA STREET
NEW WINDSOR, NY 12553 ✓

JAMES R PETRO, CHAIRMAN
PLANNING BOARD
555 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

RONNIE & CAROL ANN HICKS
309 NINA STREET
NEW WINDSOR, NY 12553 ✓

MARK J EDSALL, PE
MCGOEY & HAUSER
CONSULTING ENGINEERS, PC
45 QUASSAICK AVENUE
NEW WINDSOR, NY 12553 ✓

RICHARD P & PATRICIA LANGLE
307 NINA STREET
NEW WINDSOR, NY 12553 ✓

PETER & CATHERINE MCLOUGHLIN
& THOMAS CANALE
502 UNION AVENUE
NEW WINDSOR, NY 12553 ✓

CHERYL DIVINCENZO
305 NINA STREET
NEW WINDSOR, NY 12553 ✓

KEITH D & KATHERINE M GOSDA
310 NINA STREET
NEW WINDSOR, NY 12553 ✓

JOHN & PAMELA LATHROP
312 NINA STREET
NEW WINDSOR, NY 12553 ✓

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LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the PLANNING BOARD of the TOWN OF NEW WINDSOR, County of Orange, State of New York will hold a PUBLIC HEARING at Town Hall, 555 Union Avenue, New Windsor, New York on September 22 1999 at 7:30 P.M. on the approval of the proposed Special Permit (Site Plan) (Subdivision of Lands)* (Site Plan)* of Pasquale Mugnano located 2 Cimorelli Drive (Tax Map # 7-1-20) Map of the (Subdivision of Lands)(Site Plan)* is on file and may be inspected at the Planning Board Office, Town Hall, 555 Union Avenue, New Windsor, N.Y. prior to the Public Hearing.

Dated: 8/30/99

By Order of

TOWN OF NEW WINDSOR PLANNING BOARD

James R. Petro, Jr.

Chairman

NOTES TO APPLICANT:

- 1). *Select Applicable Item.
- 2). A completed copy of this Notice must be approved prior to publication in The Sentinel.
- 3). The cost and responsibility for publication of this Notice is fully the Applicants.

8/17/99



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

REQUEST FOR NOTIFICATION LIST

DATE: 8-17-99

1763

NAME: Pasquale Mugnano

TELE: (914) 562-8257
561-1230 (Work)

ADDRESS: 2 Cimorelli Drive
New Windsor, NY

TAX MAP NUMBER: SEC. 7, BLOCK 1, LOT 20
SEC. , BLOCK , LOT
SEC. , BLOCK , LOT

PUBLIC HEARING DATE (IF KNOWN):

THIS PUBLIC HEARING IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD:

SITE PLAN & SUBDIVISIONS:

(LIST WILL CONSIST OF ABUTTING
PROPERTY OWNERS AND ACROSS ANY STREET)

YES

SPECIAL PERMIT ONLY:

(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)

X
YES

AGRICULTURAL DISTRICT:

(LIST WILL CONSIST OF ALL PROPERTY OWNERS
WITHIN THE AG DIST. WHICH IS WITHIN 500'
OF SITE PLAN OR SUBDIVISION PROJECT)

YES

* * * * *

NEW WINDSOR ZONING BOARD:

(LIST WILL CONSIST OF ALL PROPERTY
OWNERS WITHIN 500 FEET)

YES

* * * * *

AMOUNT OF DEPOSIT \$ TOTAL CHARGE \$

RESULTS OF P. MEETING OF : August 11, 1999

PROJECT: Migrao Spec. Permit P.B.# 99-21

LEAD AGENCY:

NEGATIVE DEC:

1. AUTHORIZE COORD LETTER: Y__ N__

M)__ S)__ VOTE: A__ N__

2. TAKE LEAD AGENCY: Y__ N__

CARRIED: YES__ NO__

M)__ S)__ VOTE: A__ N__

CARRIED: YES__ NO__

WAIVE PUBLIC HEARING: M)__ S)__ VOTE: A__ N__ WAIVED: Y__ N__

SCHEDULE P.H. Y__ N__

SEND TO O.C. PLANNING: Y__

SEND TO DEPT. OF TRANSPORTATION: Y__

REFER TO Z.B.A.: M)__ S)__ VOTE: A__ N__

RETURN TO WORK SHOP: YES__ NO__

APPROVAL:

M)__ S)__ VOTE: A__ N__ APPROVED: _____

M)__ S)__ VOTE: A__ N__ APPROVED CONDITIONALLY: _____

NEED NEW PLANS: Y__ N__

DISCUSSION/APPROVAL CONDITIONS:

<u>Send to Depts -</u>
<u>Set for P.H.</u>

HOME PROFESSIONAL OFFICE: (SPECIAL PERMIT)

MUGNANO, PASQUALE

Mr. Pasquale Mugnano appeared before the board for this proposal.

MR. PETRO: Proposed barber shop with four parking spaces provided, that's a home use, Mike?

MR. BABCOCK: Yes, home professional office.

MR. PETRO: Explain briefly to the planning board what your wishes are and what you'd like to do. Mark, you did a review of this? Okay, this is a regular item.

MR. MUGNANO: I plan a barber shop in this garage, the dimensions are by 6 x 10 x 9 and I got four parking, five, matter of fact parking because I've got some back here but--

MR. PETRO: Right down the road here?

MR. MUGNANO: Yes.

MR. PETRO: Mike, just bring us up, this is under a new law that we're reviewing this?

MR. BABCOCK: Home professional office was just by an accessory use and it didn't include such things as barber shops and whatever and under the new zone, it was changed to include more uses and also put under the special permit by the planning board. So that the planning board could look at, have a look at where these are going to be located and, you know, if the guy has a quarter acre lot, with one pull-off spot, probably wouldn't be a proper use for a home office.

MR. PETRO: Okay and mandatory public hearing is also required by Town Code?

MR. BABCOCK: That's correct.

MR. PETRO: For the special permit that this would require is it already paved, does he need paving or is

that discretionary for the planning board?

MR. BABCOCK: He has it paved right now.

MR. PETRO: On all circumstances, it would be not mandatory for home professional use or it would be or is it up to the discretion of the planning board?

MR. BABCOCK: I would say there would be some discretion, but I would assume that most of the area should be blacktopped, yes.

MR. PETRO: But he has it and this is the way it's going to be striped?

MR. BABCOCK: That's correct.

MR. STENT: Home, new zone for like incidental type use or business operating 8, 10, 12 hours a day, is there any restrictions in there?

MR. BABCOCK: Yeah, it's not intended to change the structure of the, or the character of the neighborhood, it's supposed to be incidental to the single-family house accessory.

MR. STENT: Reason I question it is because of the number of parking places going to have here, almost looks like full time basis.

MR. BABCOCK: Criteria is, I don't have it in front of me, but the criteria, there's quite a bit of criteria to this, you can't have employees, it goes on and on which we have talked to this gentleman at the workshops and he meets all the criteria, except coming to the planning board and getting your approval.

MR. PETRO: What about highway, do they have to review this like a normal application?

MR. BABCOCK: Yeah.

MR. PETRO: Normal application?

MR. EDSALL: Yes.

MR. PETRO: Why don't we get him set up for a public hearing. We only have to have that this plan I guess is acceptable being it's like you're really not changing anything, other than adding the parking. Correct?

MR. MUGNANO: Yes.

MR. PETRO: Anything that's, you're not adding to the structure, it's already internal in your home?

MR. MUGNANO: Yes.

MR. PETRO: Whatever he does there would be building department.

MR. BABCOCK: Basically what he's doing on the exterior is striping so people know where to park.

MR. PETRO: Let's set him up, check with Myra probably be the next available meeting, he has to send out the regular notices that go out for a public hearing. Once you comply with all that, Myra can help you through it. We'll see you at the next meeting in September.

MR. PETRO: Mike, Mark?

MR. EDSALL: Yeah, the second half of my first comment raises something because it's new and I hadn't dealt with it before, I wanted the record to reflect an explanation from the building inspector as to whether or not they have to demonstrate bulk compliance on an existing residence or whether or not because the definition effectively says that you can do this in a single family residence if you have a single family residence that maybe existing, non-conforming bulk situation, whether or not you have to move forward, demonstrate compliance through Mike and I discussed that, and it's his understanding that the intent is that you would, if you have an existing residence be able to put this in, if the physical improvements can fit in a manner acceptable to the planning board. But they don't need to for an existing residence show us the bulk information.

MR. PETRO: Yeah, it would seem that the situation is already existing there, they are already in the home.

MR. EDSALL: Right, so I use, since it's new, start off so we, you know, apply this uniformly.

MR. BABCOCK: What it would wind up doing, maybe he wouldn't meet the side yard with the existing home so then he'd need a side yard variance for a house that's already there.

MR. EDSALL: We wanted the record to reflect that so the second half of my first comment has been resolved.

MR. PETRO: Once you're all set, we'll schedule you and we'll see you then. Thank you.

PLANNING BOARD
TOWN OF NEW WINDSOR

AS OF: 08/05/1999

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LISTING OF PLANNING BOARD **FEES**
ESCROW

FOR PROJECT NUMBER: 99-21

NAME: HPO FOR BARBER SHOP

APPLICANT: MUGNANO, PASQUALE F.

--DATE--	DESCRIPTION-----	TRANS	--AMT-CHG	-AMT-PAID	--BAL-DUE
08/05/1999	REC. CK. #2813	PAID		300.00	
		TOTAL:	0.00	300.00	-300.00





1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Home Prof.
Office

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 99-21

DATE PLAN RECEIVED: 8-5-99

The maps and plans for the Site Approval ✓

Subdivision _____ as submitted by

P. MUGNANO for the building or subdivision of
HOME PROFESSIONAL OFFICE has been

reviewed by me and is approved ✓

disapproved _____.

If disapproved, please list reason _____

HIGHWAY SUPERINTENDENT _____ DATE _____

WATER SUPERINTENDENT _____ DATE _____

J. B. [Signature] 8/20/99
SANITARY SUPERINTENDENT _____ DATE _____



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Home Prof.
Office

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

PLEASE RETURN COMPLETED FORM TO:

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 99-21

DATE PLAN RECEIVED: 8-5-99

The maps and plans for the Site Approval _____

Subdivision _____ as submitted by _____

for the building or subdivision of _____

Pasquale Mugnano #2 Cimarelli Dr. has been

reviewed by me and is approved ✓

~~disapproved~~ _____

~~If disapproved, please list reason~~ _____

No Comments

HIGHWAY SUPERINTENDENT DATE

Steve D. D. 8-19-99
WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE

INTER-OFFICE MEMORANDUM

TO: Town Planning Board

FROM: Town Fire Inspector

DATE: August 17, 1999

SUBJECT: Magnano's Barber Shop

Planning Board Reference Number: PB-99-21

Dated: 5 August 1999

Fire Prevention Reference Number: FPS-99-032

A review of the above referenced subject site plan was conducted on 17 August 1999.

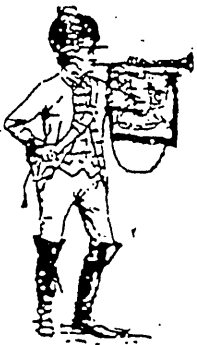
This site plan is approved, however, one (1) handicapped accessible parking space should be provided.

Plans Dated: 5 August 1999.

A handwritten signature in black ink, appearing to read 'R. Rodgers', with a horizontal line extending from the end of the signature.

Robert F. Rodgers; C.C.A.
Fire Inspector

RFR/dh



1765

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

Home Prof.
Office

NEW WINDSOR PLANNING BOARD REVIEW FORM

TO: FIRE INSPECTOR, D.O.T., WATER, SEWER, HIGHWAY

RECEIVED

AUG 17 1999

PLEASE RETURN COMPLETED FORM TO:

N.W. HIGHWAY DEPT.

MYRA MASON, SECRETARY FOR THE PLANNING BOARD

PLANNING BOARD FILE NUMBER: 99-21

DATE PLAN RECEIVED: 8-5-99

The maps and plans for the Site Approval ☒

Subdivision _____ as submitted by

_____ for the building or subdivision of

_____ has been

reviewed by me and is approved ☒

disapproved ☐

If disapproved, please list reason _____

W. James Sullivan 8/17/99
HIGHWAY SUPERINTENDENT DATE

WATER SUPERINTENDENT DATE

SANITARY SUPERINTENDENT DATE



McGOEY, HAUSER and EDSALL
CONSULTING ENGINEERS P.C.

RICHARD D. McGOEY, P.E.
WILLIAM J. HAUSER, P.E.
MARK J. EDSALL, P.E.
JAMES M. FARR, P.E.

- ☐ Main Office
45 Quassaick Ave. (Route 9W)
New Windsor, New York 12553
(914) 562-8640
- ☐ Branch Office
507 Broad Street
Milford, Pennsylvania 18337
(717) 296-2765

PLANNING BOARD WORK SESSION
RECORD OF APPEARANCE

TOWN/VILLAGE OF

New Windsor

P/B # 1-3 -

WORK SESSION DATE:

4 AUG 1999

APPLICANT RESUB.
REQUIRED:

Full App

REAPPEARANCE AT W/S REQUESTED:

No

PROJECT NAME:

Mugnano HPO

PROJECT STATUS:

NEW

X OLD

REPRESENTATIVE PRESENT:

Self

Pasquale Mugnano

MUNIC REPS PRESENT: BLDG INSP.

FIRE INSP. Rich

ENGINEER X

PLANNER

P/B CHMN.

OTHER (Specify)

ITEMS TO BE ADDRESSED ON RESUBMITTAL:

Hoffine Union & Cimmarelli, D. R-4

~~Home Professional 48-37~~ → Home Professional 48-37

- verified < \$5090 area, no employees,

- show 12" x 12" sign

Special permit use

CLOSING STATUS

Set for agenda

X possible agenda item

Discussion item for agenda

ZBA referral on agenda

pbwsform 10MJE98



TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553
Telephone: (914) 563-4615
Fax: (914) 563-4693

PLANNING BOARD APPLICATION

TYPE OF APPLICATION (check appropriate item):

Subdivision _____ Lot Line Change _____ Site Plan _____ Special Permit ☒

Tax Map Designation: Sec. 7 Block 1 Lot 20

1. Name of Project PROPOSED HOME PROFESSIONAL OFFICE BARBERSHOP
2. Owner of Record PASQUALE F. MUGNANO Phone 562-8257
Address: 2 Cimorelli Drive New Windsor N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
3. Name of Applicant PASQUALE F. MUGNANO Phone 562-8257
Address: 2 Cimorelli Drive New Windsor N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
4. Person Preparing Plan PASQUALE F. MUGNANO Phone 562-8257
Address: 2 Cimorelli Drive New Windsor N.Y. 12553
(Street Name & Number) (Post Office) (State) (Zip)
5. Attorney _____ Phone _____
Address _____
(Street Name & Number) (Post Office) (State) (Zip)
6. Person to be notified to appear at Planning Board meeting:
PASQUALE F. MUGNANO 562-8257 (^{work}561-1230)
(Name) (Phone)
7. Project Location:
On the WEST side of CIMORELLI DRIVE 51 feet
(Direction) (Street) (No.)
WEST of CIMORELLI DRIVE
(Direction) (Street)
8. Project Data: Acreage _____ Zone R 4 School Dist. NEWBURGH

9. Is this property within an Agricultural District containing a farm operation or within 500 feet of a farm operation located in an Agricultural District? Yes _____ No ✓

***This information can be verified in the Assessor's Office.**

***If you answer "yes" to question 9, please complete the attached "Agricultural Data Statement".**

10. Description of Project: (Use, Size, Number of Lots, etc.) IN HOME BARBER SHOP
with parking lot for 4 cars. size of property 168.9 x
162.7 x 100 x 150'

11. Has the Zoning Board of Appeals Granted any Variances for this property? yes _____ no ✓

12. Has a Special Permit previously been granted for this property? yes _____ no ✓

ACKNOWLEDGMENT:

IF THIS ACKNOWLEDGMENT IS COMPLETED BY ANYONE OTHER THAN THE PROPERTY OWNER, A SEPARATE NOTARIZED STATEMENT OR PROXY STATEMENT FROM THE OWNER MUST BE SUBMITTED, AT THE TIME OF APPLICATION, AUTHORIZING THIS APPLICATION.

STATE OF NEW YORK)

SS.:

COUNTY OF ORANGE)

THE UNDERSIGNED APPLICANT, BEING DULY SWORN, DEPOSES AND STATES THAT THE INFORMATION, STATEMENTS AND REPRESENTATIONS CONTAINED IN THIS APPLICATION AND SUPPORTING DOCUMENTS AND DRAWINGS ARE TRUE AND ACCURATE TO THE BEST OF HIS/HER KNOWLEDGE AND/OR BELIEF. THE APPLICANT FURTHER ACKNOWLEDGES RESPONSIBILITY TO THE TOWN FOR ALL FEES AND COSTS ASSOCIATED WITH THE REVIEW OF THIS APPLICATION.

WENDY L. CARRIERE
NOTARY PUBLIC
STATE OF NEW YORK
01CA6000113

SWORN BEFORE ME THIS:

4 DAY OF aug 1999

QUALIFIED IN ORANGE COUNTY
MY COMMISSION EXPIRES DEC. 8, 2000

Pasquale F. Mognato
APPLICANT'S SIGNATURE

Clemente Scamini
NOTARY PUBLIC

PASQUALE F MOGNATO
Please Print Applicant's Name as Signed

TOWN USE ONLY:

RECEIVED AUG - 5 1999

DATE APPLICATION RECEIVED

99-91

APPLICATION NUMBER

PROJECT I.D. NUMBER

617.21

SEQR

Appendix C

State Environmental Quality Review
SHORT ENVIRONMENTAL ASSESSMENT FORM
 For UNLISTED ACTIONS Only

PART I—PROJECT INFORMATION (To be completed by Applicant or Project sponsor)

1. APPLICANT /SPONSOR PASQUALE F. MUGNANO	2. PROJECT NAME IN HOME BARBERSHOP
3. PROJECT LOCATION: Municipality NEWWINDSOR County ORANGE	
4. PRECISE LOCATION (Street address and road intersections, prominent landmarks, etc., or provide map) 2 CIMORELLI DRIVE AND UNION AVE.	
5. IS PROPOSED ACTION: <input type="checkbox"/> New <input type="checkbox"/> Expansion <input checked="" type="checkbox"/> Modification/alteration	
6. DESCRIBE PROJECT BRIEFLY: HOME PROFESSIONAL OFFICE BARBERSHOP WITH PARKING FOR 4 CARS	
7. AMOUNT OF LAND AFFECTED: Initially 2 3/4 acres Ultimately 2 3/4 acres 168.9 x 162.7 x 100 x 150	
8. WILL PROPOSED ACTION COMPLY WITH EXISTING ZONING OR OTHER EXISTING LAND USE RESTRICTIONS? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If No, describe briefly	
9. WHAT IS PRESENT LAND USE IN VICINITY OF PROJECT? <input checked="" type="checkbox"/> Residential <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input type="checkbox"/> Agriculture <input type="checkbox"/> Park/Forest/Open space <input type="checkbox"/> Other Describe:	
10. DOES ACTION INVOLVE A PERMIT APPROVAL, OR FUNDING, NOW OR ULTIMATELY FROM ANY OTHER GOVERNMENTAL AGENCY (FEDERAL, STATE OR LOCAL)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency(s) and permit/approvals	
11. DOES ANY ASPECT OF THE ACTION HAVE A CURRENTLY VALID PERMIT OR APPROVAL? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, list agency name and permit/approval	
12. AS A RESULT OF PROPOSED ACTION WILL EXISTING PERMIT/APPROVAL REQUIRE MODIFICATION? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
I CERTIFY THAT THE INFORMATION PROVIDED ABOVE IS TRUE TO THE BEST OF MY KNOWLEDGE	
Applicant/sponsor name: PASQUALE F. MUGNANO	Date: 8/4/99
Signature: Pasquale F. Mugnano	

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment

OVER

1

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PART II—ENVIRONMENTAL ASSESSMENT (To be completed by Agency)

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6 NYCRR, PART 617.12? If yes, coordinate review process and use the FULL EAF. <input type="checkbox"/> Yes <input type="checkbox"/> No	
B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6 NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency. <input type="checkbox"/> Yes <input type="checkbox"/> No	
C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING: (Answers may be handwritten, if legible)	
C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:	
C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:	
C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:	
C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:	
C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:	
C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly:	
C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:	
D. IS THERE, OR IS THERE LIKELY TO BE, CONTROVERSY RELATED TO POTENTIAL ADVERSE ENVIRONMENTAL IMPACTS? <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, explain briefly	

PART III—DETERMINATION OF SIGNIFICANCE (To be completed by Agency)

INSTRUCTIONS: For each adverse effect identified above, determine whether it is substantial, large, important or otherwise significant. Each effect should be assessed in connection with its (a) setting (i.e. urban or rural); (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude. If necessary, add attachments or reference supporting materials. Ensure that explanations contain sufficient detail to show that all relevant adverse impacts have been identified and adequately addressed.

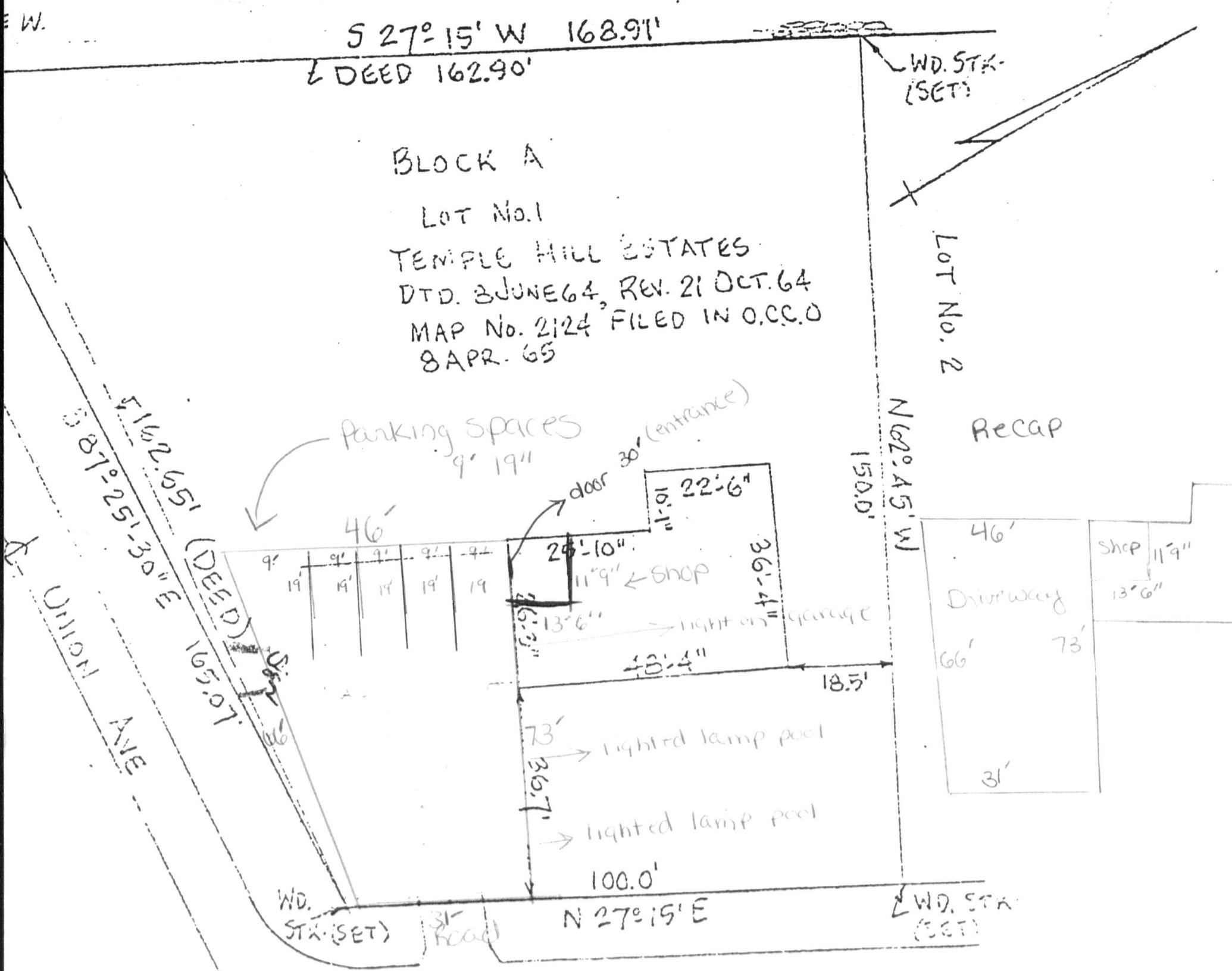
<input type="checkbox"/> Check this box if you have identified one or more potentially large or significant adverse impacts which MAY occur. Then proceed directly to the FULL EAF and/or prepare a positive declaration.	
<input type="checkbox"/> Check this box if you have determined, based on the information and analysis above and any supporting documentation, that the proposed action WILL NOT result in any significant adverse environmental impacts AND provide on attachments as necessary, the reasons supporting this determination:	
_____ Name of Lead Agency	
_____ Print or Type Name of Responsible Officer in Lead Agency	_____ Title of Responsible Officer
_____ Signature of Responsible Officer in Lead Agency	_____ Signature of Preparer (If different from responsible officer)
_____ Date	

99-21

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LANDS OF FLANAGAN (N/F)

7. Dimensions of entire new construction. Front. Rear. Depth. Height. Number of dwelling units.



CERTIFIED CORRECT & ACCURATE TO THE SAVINGS & LOAN ASSOC. OF NEWBURGH, NY PASQUALE & ANNAMARIA MUGNANO, & THE LAWYER'S TITLE INSURANCE CORP.

LANDS TO BE CONVERTED TO PASQUALE & ANNAMARIA MUGNANO TOWN OF NEW WINDSOR, ORANGE CO., NEW YORK

CERTIFIED CORRECT

PROPOSED HOME PROFESSIONAL OFFICE

BARBER SHOP

PASQUALE MUGNANO

2 CIMORELLI DRIVE

APPROVED BY THE BUREAU OF FIRE PREVENTION TOWN OF NEW WINDSOR, N. Y.

DATE 7/29/99 SIGNATURE [Signature]

[Signature]
PREPARED BY
MONTICELLO, N.Y. 12548
SCALE: 1" = 30'

99-21

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